

F&D a \$50,000 NVOCC surety bond, No. 8941199, effective June 12, 1994.

According to information developed by the Commission's Bureau of Enforcement, F&D appears to have transported at least 32 shipments from Taiwan to the United States between June 30, 1994 and March 1, 1995 at rates other than those set forth in its tariff on file with the Commission.

The Shipping Act of 1984 ("1984 Act"), provides that pursuant to section 10(b)(1), 46 U.S.C. app. 1709(b)(1), a common carrier is prohibited from charging, demanding, collecting, or receiving greater, less, or different compensation for transportation of property than the rates shown in its tariffs or service contracts. Section 11 of the 1984 Act, 46 U.S.C. app. 1710, sets forth the Commission's authority to investigate violations of the 1984 Act. In the event violations are found, section 13 of the 1984 Act, 46 U.S.C. app. 1712, provides that the Commission may assess civil penalties and suspend tariffs as remedies for violations of section 10(b)(1). Section 14(a) of the 1984 Act, 46 U.S.C. app. 1713(a), empowers the Commission to issue orders relating to violations of the 1984 Act.

Now *therefore it is ordered*, That pursuant to sections 10(b)(1), 11, 13 and 14(a), of the 1984 Act, an investigation is hereby instituted to determine:

1. Whether F&D violated section 10(b)(1) of the 1984 Act by transporting shipments at rates lower than those filed in its tariff;

2. Whether, in the event F&D is found to have violated section 10(b)(1) of the 1984 Act, civil penalties should be assessed against F&D and, if so, the amount of such penalties;

3. Whether, in the event F&D is found to have violated section 10(b)(1) of the 1984 Act, a cease and desist order should be issued; and

4. Whether, in the event F&D is found to have violated section 10(b)(1) of the 1984 Act, its tariff should be suspended pursuant to section 13 of the 1984 Act.

It is further ordered, That a public hearing be held in this proceeding and that this matter be assigned for hearing before an Administrative Law Judge of the Commission's Office of Administrative Law Judges at a date and place to be hereafter determined by the Administrative Law Judge in compliance with Rule 61 of the Commission's Rules of Practice and Procedure, 46 C.F.R. 502.61. The hearing shall include oral testimony and cross-examination at the discretion of the Presiding Officer only after consideration has been given by the parties and the Presiding Officer to the use of alternative forms of dispute

resolution, and upon proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matter in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record.

It is further ordered, That F&D Loadline Corporation is named Respondent in this proceeding;

It is further ordered, That the Commission's Bureau of Enforcement is designated a party to this proceeding;

It is further ordered, That notice of this Order be published in the Federal Register, and a copy be served on parties of record;

It is further ordered, That other persons having an interest in participating in this proceeding may file petitions for leave to intervene in accordance with Rule 72 of the Commission's Rules of Practice and Procedure, 46 C.F.R. 502.72;

It is further ordered, That all further notices, orders, and/or decisions issued by or on behalf of the Commission in this proceeding, including notice of the time and place of hearing or prehearing conference, shall be served on parties of record;

It is further ordered, That all documents submitted by any party of record in this proceeding shall be directed to the Secretary, Federal Maritime Commission, Washington, DC. 20573, and comply with Subpart H of the Commission's Rules of Practice and Procedure, 46 C.F.R. 502.111-119, and shall be served on parties of record; and

It is further ordered, That in accordance with Rule 61 of the Commission's Rules of Practice and Procedure, 46 C.F.R. 502.61, the initial decision of the Administrative Law Judge shall be issued by February 7, 1997, and the final decision of the Commission shall be issued by June 9, 1997.

By the Commission.

Joseph C. Polking,

Secretary.

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FEDERAL RESERVE SYSTEM

Jerome Dansker, et al.; Change in Bank Control Notices; Acquisitions of Shares of Banks or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and §

225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. Once the notices have been accepted for processing, they will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than February 27, 1996.

A. Federal Reserve Bank of Atlanta (Zane R. Kelley, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. *Jerome Dansker*, New York, New York; to acquire an additional 24.06 percent, for a total of 26.23 percent, of the voting shares of Intervest Bancshares Corporation, New York, New York, and thereby indirectly acquire Intervest Bank, Clearwater, Florida.

B. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *Planters Bank & Trust Company Employee Stock Ownership Plan & Trust*, Indianola, Mississippi; to acquire an additional 12.71 percent, for a total of 24.99 percent, of the voting shares of Planters Holding Company, Indianola, Mississippi, and thereby indirectly acquire Planters Bank & Trust Company, Indianola, Mississippi.

Board of Governors of the Federal Reserve System, February 7, 1996.

Barbara R. Lowrey,

Associate Secretary of the Board.

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BILLING CODE 6210-01-F

Fort Wayne National Corporation, et al.; Formations of; Acquisitions by; and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for